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*Attorneys for Axis Reinsurance Company*

DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
AXIS REINSURANCE COMPANY,	:	No. 07-CV-7924 (GEL)
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
PHILLIP R. BENNETT, et al.,	:	
	:	
Defendants.	:	

-----	X	
	:	
In re	:	Chapter 11
	:	
REFCO, INC., et al.,	:	Case No. 05-60006 (RDD)
	:	
Debtors.	:	Jointly Administered

-----	X	
	:	
AXIS REINSURANCE COMPANY,	:	Adv. Proc. No. 07-1712-RDD
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
PHILLIP R. BENNETT, et al.,	:	
	:	
Defendants.	:	

-----	X	
TONE N. GRANT, et al.,	:	Adv. Proc. 07-2005-RDD
	:	
Plaintiffs,	:	
v.	:	
	:	
AXIS REINSURANCE COMPANY,	:	
	:	
Defendant.	:	
-----	X	
LEO R. BREITMAN, et al.,	:	Adv. Proc. No. 07-2032-RDD
	:	
Plaintiffs,	:	
v.	:	
	:	
AXIS REINSURANCE COMPANY,	:	
	:	
Defendant.	:	
-----	X	
AXIS REINSURANCE COMPANY,	:	(1) No. 07-CV-9420-GEL
	:	(2) No. 07-CV-9842-GEL
Plaintiff,	:	(3) appeal not yet assigned
v.	:	
	:	
PHILLIP R. BENNETT, et al.,	:	
	:	
Defendants.	:	
-----	X	
TONE N. GRANT, et al.,	:	No. 07-CV-9843-GEL
	:	
Plaintiffs,	:	
v.	:	
	:	
AXIS REINSURANCE COMPANY,	:	
	:	
Defendant.	:	
-----	X	

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK                     )  
  )     s.s.:  
COUNTY OF WESTCHESTER         )

1.     ROBERT A. BENJAMIN, the undersigned deposes and says: I am over 18 years of age, am not a party in the above-captioned case, and am an attorney with the firm Kaufman Borgeest & Ryan LLP.

2.     On November 28, 2007, I caused to be served a true and correct copy of the following documents to be served via (i) electronic mail notification to the parties listed on Exhibit A attached hereto, and (ii) overnight delivery to the party listed on Exhibit B attached hereto:

- Brief on Appeal from Bankruptcy Court Orders: (1) dismissing Axis's complaint without prejudice while retaining the counterclaims; and (2) granting summary judgment requiring Axis to advance defense costs prior to an adjudication of coverage; and
- Declaration of Joan M. Gilbride.

Dated: Valhalla, New York  
November 28, 2007

  
\_\_\_\_\_  
ROBERT A. BENJAMIN

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**EXHIBIT B**

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